Cont'd.
F2

Claim 64, line 1, delete "52" and insert in lieu thereof --63--.

Please add the following new claim 65:

--65. (New) A prosthesis comprising:

F3

a tubular graft having a pair of free ends; and

a ring comprising a bundle of overlapping windings formed of a strand of resilient wire, said ring secured to said graft adjacent one of said free ends thereof, wherein the minimum bending diameter of said ring is less than that of a solid ring of the same dimensions.--

**REMARKS**

**Claim 63**

It is respectfully submitted that claim 63 is patentable over the Kwan-Gett reference for each of the following reasons:

1. Kwan-Gett does not teach a ring.
   Kwan-Gett shows an expanded spring which would not qualify under any conventional definition of a ring. Instead, it is the opposite of a ring, constituting an extended tube rather than a ring.

2. Kwan-Gett does not teach a bundle of windings.
   Kwan-Gett teaches a series of expanded windings in direct contravention to the concept of a "bundle" which is a bound collection of windings.

3. Kwan-Gett does not teach overlapping windings.
   Again, Kwan-Gett does not overlap the windings but instead extends the windings away from one another so that they do not overlap.

4. The windings of Kwan-Gett are not located adjacent one of the free ends.

In contrast to the claimed invention, the Kwan-Gett windings extend completely across the graft and are not located adjacent one free end thereof.

While the Examiner is required to give the words in the claim their broadest reasonable meaning, it is believed that the meaning given to the above-indicated terms is so broad as to effectively write these elements out of the claim. It is not seen how the claim (as read by the Examiner) is in any way restricted to any kind of windings, whether they are overlapping, whether they form a ring or whether they form a bundle.

It is respectfully submitted that there is no structure having windings that, under the Examiner's reading, would be excluded from the claim scope. Thus, the terms "ring", "bundle" and "overlapping" are effectively read completely out of the claim. Therefore, reconsideration is respectfully requested.

**Claims 64 and 65**

With respect to claim 64, it is respectfully submitted that there is support in the specification for this claim and for claim 65 which corresponds to former claim 64, in independent form. The specification defines the smallest permissible bending diameter without plastic deformation, $D_B$, as depending on the material, the thickness of the clamping ring and the individual strands which make up the ring. See page 8, lines 30-33. At page 9, lines 5-8 it is explained that each individual strand 32 has a bending diameter approximately corresponding to the minimum bending diameter, $D_B$, of the individual strand. Finally, at page 9, lines 17-19 it is stated

that "thus a clamping ring 30 with a high tension force can be shaped to a relatively small compressed configuration."

The small compressed configuration is obviously a function of its minimum bending diameter. The term "relative" indicates that the bending diameter is smaller than something else and that something else necessarily must be a solid ring not made up of strands. Therefore, it is respectfully submitted that there is adequate support for this claim limitation.

No such structure is provided in Kwan-Gett. Because Kwan-Gett has an expanded spring structure, the effect on minimum bending diameter of the individual strands can not be realized and Kwan-Gett makes no claim that minimum bending diameter is reduced.

Therefore, claims 64 and 65 should patentably distinguish over the art.

**Claim 21**

Claim 21 was rejected under § 102 as being anticipated by Lazarus and Robinson. For the reasons set forth below, reconsideration is respectfully requested.

Claim 21 calls for a pair of "folded" resilient annular springs each having a pair of loops. The folded structure is shown for example in Figure 2 (and similarly in Figures 4 and 5) wherein the ring is folded about the bending diameter $D_B$.

Lazarus teaches away. As shown in Figure 6, Lazarus does not fold his end elements but instead simply compresses them radially. The same thing is done in Robinson. That is, both Robinson and Lazarus teach springs which compress radially. Therefore there is no need in Robinson or Lazarus to create a folded structure.

Since the cited references fail to teach a folded ring, reconsideration of the § 102 rejection is requested.

**Entry of Amendment**

It is respectfully requested that this amendment be entered since it places the application in condition for allowance or in better form for appeal and reduces issues. The language of claim 63 has been clarified to indicate the precise nature of the issue at hand and avoids what was believed to be an improper reading that merely limits the claim to where the wire is attached to the graft as opposed to where the ring or bundle of overlapping windings is located. Claims 12-15, 17 and 19-20 have been cancelled, thereby simplifying issues.

* * * * *

In view of these remarks, entry of this amendment and allowance of the application is respectfully requested. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 20-1504.

Respectfully submitted,

Date: 2/13/00

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